

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,) Case No. 8:04CR332
)
Plaintiff,)
)
v.) ORDER
)
LORA KEMPTAR,)
)
Defendant.)

This matter comes on to consider the government's motion for Rule 35(b) hearing.
Filing No. 48. Having considered the matter,

IT IS ORDERED that:

1. A hearing on the government's motion pursuant to Rule 35(b) has been scheduled before the undersigned United States district judge on **February 3, 2006, at 8:30 a.m.** in Courtroom No. 3, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska;
2. Defense counsel is reappointed to represent the defendant at this hearing;
3. At the request of the defendant through her counsel, and with the agreement of the government, the defendant may be absent from the hearing on the Rule 35 motion;
4. **The Marshal is directed not to return the defendant to the district; and**
5. The defendant is held to have waived her right to be present for this hearing.

DATED this 20th day of January, 2006.

BY THE COURT:

s/Joseph F. Bataillon
JOSEPH F. BATAILLON
UNITED STATES DISTRICT JUDGE